

221904-1050

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
TBD 10/561700

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

INTERNATIONAL APPLICATION NO. PCT/CA2004/000825

INTERNATIONAL FILING DATE 03 June 2004

PRIORITY DATE CLAIMED 26 June 2003

TITLE OF INVENTION

PROTON PUMP-INHIBITOR-CONTAINING CAPSULES WHICH COMPRIZE SUBUNITS DIFFERENTLY STRUCTURED
FOR A DELAYED RELEASE OF THE ACTIVE INGREDIENT

APPLICANT(S) FOR DO/EO/US

ODIDI, Isa; and ODIDI, Amina

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. The US has been elected (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. A **FIRST** preliminary amendment.
16. A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. A substitute specification.
18. A power of attorney and/or change of address letter.
19. A computer-readable form of the sequence listing in accordance with PCT Rule 13^{ter}.2 and 37 CFR 1.821 - 1.825.
20. A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. Express Mail Label No. EV628221811US

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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23. Other items or information: PTO-1449 form; Two (2) cited references; Request for Correction of Typographical Error; Corrected Front Cover of Corresponding PCT application; Return Postcard; Certificate of Express Mail; Credit Card Authorization Form																																																																																																											
<table border="1"> <thead> <tr> <th colspan="2">The following fees have been submitted:</th> <th>CALCULATIONS</th> <th>PTO USE</th> </tr> </thead> <tbody> <tr> <td colspan="2">24. <input checked="" type="checkbox"/> Basic national fee</td> <td>\$300</td> <td>\$300.00</td> </tr> <tr> <td colspan="2">25. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)(4). . .</td> <td>\$0</td> <td>\$200.00</td> </tr> <tr> <td colspan="2">All other situations.</td> <td>\$200</td> <td></td> </tr> <tr> <td colspan="2">26. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . .</td> <td>\$0</td> <td></td> </tr> <tr> <td colspan="2">Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority.</td> <td>\$100</td> <td>\$500.00</td> </tr> <tr> <td colspan="2">International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB.</td> <td>\$400</td> <td></td> </tr> <tr> <td colspan="2">All other situations.</td> <td>\$500</td> <td></td> </tr> <tr> <td colspan="2">TOTAL OF 24, 25 and 26 =</td> <td>\$1,000.00</td> <td></td> </tr> <tr> <td colspan="4"> <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(l)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. </td> </tr> <tr> <td>Total Sheets</td> <td>Extra Sheets</td> <td>Number of each additional 50 or fraction thereof (round up to a whole)</td> <td>RATE</td> </tr> <tr> <td>- 100 =</td> <td>0 /50 =</td> <td>0</td> <td>x \$250.00</td> </tr> <tr> <td colspan="4">Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).</td> </tr> <tr> <td>CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> <td>RATE</td> </tr> <tr> <td>Total claims</td> <td>48 - 20 =</td> <td>28</td> <td>x \$50.00</td> </tr> <tr> <td>Independent claims</td> <td>0 - 3 =</td> <td>0</td> <td>x \$200.00</td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00</td> </tr> <tr> <td colspan="4">TOTAL OF ABOVE CALCULATIONS =</td> </tr> <tr> <td colspan="4"> <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. </td> </tr> <tr> <td colspan="4">SUBTOTAL =</td> </tr> <tr> <td colspan="4">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).</td> </tr> <tr> <td colspan="4">TOTAL NATIONAL FEE =</td> </tr> <tr> <td colspan="4">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +</td> </tr> <tr> <td colspan="4">TOTAL FEES ENCLOSED =</td> </tr> <tr> <td colspan="3">Amount to be</td> <td>\$</td> </tr> <tr> <td colspan="3">Amount to be</td> <td>\$</td> </tr> </tbody> </table>				The following fees have been submitted:		CALCULATIONS	PTO USE	24. <input checked="" type="checkbox"/> Basic national fee		\$300	\$300.00	25. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)(4). . .		\$0	\$200.00	All other situations.		\$200		26. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . .		\$0		Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority.		\$100	\$500.00	International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB.		\$400		All other situations.		\$500		TOTAL OF 24, 25 and 26 =		\$1,000.00		<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(l)). 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PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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1AP20 R-2007 PTO 22 DEC 2005

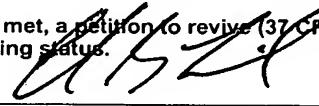
- a. A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-0778. A duplicate copy of this sheet is enclosed.
- d. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

LINDER, Christopher B.
THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP
100 Galleria Parkway, N.W.
Suite 1750
Atlanta, GA 30339-5948
US

SIGNATURE


Christopher B. Linder

NAME

47,751

REGISTRATION NUMBER

DATE

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: **Odidi et al.**

For: **PROTON PUMP-INHIBITOR-CONTAINING CAPSULES WHICH COMPRIZE SUBUNITS DIFFERENTLY STRUCTURED FOR A DELAYED RELEASE OF THE ACTIVE INGREDIENT**

10/561700

IAP20 Rec'd PCT/PTO 22 DEC 2005

CERTIFICATE OF EXPRESS MAIL

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

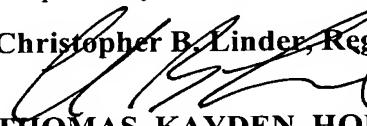
Sir:

Enclosed for filing in the above case are the following documents:

Return Postcard
Transmittal Letter to the US Designated Office
(DO/EO/US) (4 Pages);
Credit Card Authorization Form;
U.S. National Phase Patent Application;
Copy of Published International Application Consisting of:
Publication Page
33 Pages of Specification
7 Pages of Claims
0 Pages of Drawings
International Search Report
Preliminary Amendment
International Search Report and Written Opinion
Request for Correction of Typographical Error;
Corrected Version of the Cover Page of the International
Application;
Information Disclosure Statement;
PTO-1449 form; and
Two (2) cited references

Further, the Commissioner is authorized to charge Deposit Account No. 20-0778 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 20-0778.

Respectfully submitted,

 Christopher B. Linder, Reg. No. 47,751

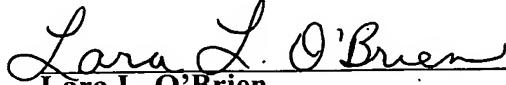
THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.
100 Galleria Parkway, N.W.
Suite 1750
Atlanta, Georgia 30339-5948

Our Docket No: **221904-1050**

I hereby certify that all correspondences listed above are being deposited for delivery to the above addressee, with the United States Postal Service "**EXPRESS MAIL POST OFFICE TO ADDRESSEE**" service under 37 CFR §1.10 on the date indicated below:

The envelope has been given U.S. Postal Service "Express Mail Post Office To Addressee" Package # **EV628221811US**.

Date: 22 December 2005


Lara L. O'Brien

IN THE INTERNATIONAL BUREAU OF WIPO

IAP20 REC'D FOM PT 22 DEC 2005

In re PCT patent application

Serial No.: PCT/CA2004/000825
Filed: June 3, 2004
Applicant: ODIDI, Isa et al.
Title: Protein Tyrosine Kinase Inhibitors
Our Ref.: 9577-41 KAM
Date: November 23, 2004

VIA FACSIMILE -Confirmation Copy by Mail

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Dear Sirs:

REQUEST FOR CORRECTION OF TYPOGRAPHICAL ERROR

Further to the International Search Report dated October 22, 2004, please note that with respect to the title, the International Authority has amended the title to read as follows: **"PROTONE PUMP-INHIBITOR-CONTAINING CAPSULE WHICH COMPRISE SUBUNITS DIFFERENTLY STRUCTURED FOR A DELAYED RELEASE OF THE ACTIVE INGREDIENT".**

Please note that there is a typographical error in this title; the term "PROTONE" should read "PROTON".

Please ensure that this title is properly referred to when the above-identified patent application is published.

Respectfully submitted,
SIM & McBURNEY

Kimberly A. McManus

KAM/Ir
Sim & McBurney
Toronto, Ontario,
Canada, M5G 1R7
Telephone (416) 595-1155, ext. 297
Fax No. (416) 595-1163

Copy:
International Preliminary Examining Authority
European Patent Office
Attention: Eva Boháková